

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
100 Maryland Avenue, Room 217
Rockville, Maryland 20850
(240) 777-6600**

<http://www.montgomerycountymd.gov/boa/>

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, April 12, 2017

ACTION ITEMS:

1. Minutes of March 29, 2017, Worksession.

Action: Approved, (JHP/ESR, 5-0).

2. **CBA-2188, Petition of Israel Bimblich & University Towers Joint Venture t/a Bimblich-University Joint Venture**, (Retail Sales/Service Establishments: Beauty Shop). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, requesting that this special exception, located in an apartment building, be revoked as abandoned. Also included is confirmation of the abandonment from the regional property manager, on behalf of the property owner.

Action: Revoked this special exception as abandoned, (ESR/BG, 5-0).

3. **CBA-2295 [CBA-1934], Petition of C.H. NO. 4, INC.** (Medical Practitioners' Offices). Letter to the Board from Billy Edwards, CPA, requesting a transfer of this special exception to Enclave Holdings, LLC.

Action: Granted the transfer of this special exception, (SBB/ESR, 5-0).

4. **S-1376, Petition of Henry K. Ho, D.D.S.** (Medical Practitioners' Office). Letter to the Board from Shawki A. Al-Attar, MD, requesting reconsideration of the Board's resolution revoking this special exception, and requesting that the special exception be transferred to his name. In addition, Dr. Al-Attar requests that the time to appeal this matter to the Circuit Court be stayed.

Action: (a) Granted reconsideration and rescinded the revocation of this special exception; (b) granted the transfer of this special exception, (JHP/ESR, 5-0).

5. **S-1523, Petition of Ahmad R. Habibi** (Home Occupation). Letter to the Board from the Petitioner, requesting an administrative modification of this special exception.

Action: Granted the modification of this special exception, (JHP/BG, 5-0).

6. **S-2136, Petition of Potomac Manor, LLC.** (Group Home for the Elderly). Letter to the Board from Jody S. Kline, Esquire, requesting an administrative modification of this special exception.

Action: Granted the administrative modification of this special exception. (JHP/SBB, 5-0).

7. **ZAS-560, Petition of Frances A. Peyton** (Private Riding Stable). Memorandum to the Board from Barbara Cox, Inspector, Department of Permitting Services, requesting that this special exception be revoked as abandoned. Also included is confirmation of the abandonment from the property owner, who is also the Petitioner's daughter-in-law.

Action: Revoked this special exception as abandoned, (SBB/BG, 5-0).

DECISION ITEM:

8. **S-856-B [S-452-D], Petition of Friends House, Inc.** (Housing, Elderly & Handicapped and Nursing Home or Domiciliary Care Home). Hearing Examiner's Report and Recommendation. Also included is a letter from Jody S. Kline, Esquire, suggesting what he believes are two technical corrections to the conditions of approval proposed by the Hearing Examiner, and an email from the Hearing Examiner agreeing with the proposed changes.

Action: (a) Accepted the Hearing Examiner's Report and Recommendation; (b) granted the special exception with two technical corrections to the conditions of approval proposed by the Hearing Examiner. (JHP/ESR, 5-0).

PENDING ITEMS:

9. **CBA-1730, Petition of Stanley Rakusin and Arthur P. Becker** (Apartment Hotel). Letter to the Board from Robert R. Harris, Esquire, requesting reconsideration of the Board's revocation of special exception CBA-1730, and asking that the special exception be reinstated. Item deferred (consensus). [W/S: 4/27/16].
10. **S-2250, S-1211, S-1211-B, Petition of KCJ Properties, LLC, and O.G. Limited Partnership** (Private Educational Institution). Letter to the Board from Joyce Saadi, requesting reconsideration of the Board's decision dated July 29, 2016, which modified S-2250 and revoked S-1211 and S-1211-B, or in the alternative, a hearing. Item deferred (consensus). [W/S: 9/7/16].

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